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OFFICER INVOLVED SHOOTING FORM

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 04/30/13	Bureau/Station/Facility: East Los Angeles Station/ Special Enforcement	Admin. Invest.? ✓ Hit? ✓

Incident Information

URN: 013-05241-0286-013	Date: 04/30/13 Time: 2220
City or Station: East Los Angeles Station	Nature of Incident: Deputies from ELA and SEB get into a shooting with an armed car jacking suspect. Suspect shoots at SEB K-9 unit and members from the entry team. Deputies return fire killing suspect
Location: [redacted] Fair View Ave Los Angeles, CA	

Location Type (check one or more):
- [ ] Backyard
- [ ] Beach
- [ ] Business
- [ ] Freeway
- [ ] Industrial
- [ ] Park
- [x] Parking Lot
- [x] Residence
- [ ] Rural
- [ ] School
- [ ] Street
- Other: ______

Lighting (check only one):
- [x] Darkness
- [ ] Daylight
- [ ] Other
- [ ] Street Lights

Weather (circle only one):
- [x] Clear
- [ ] Cloudy
- [ ] Fog
- [ ] Rain

Distance: 20ft to 4ft

Incident Type (check one or more):
- [ ] Accidental
- [x] Armed Person
- [x] Fleeing Suspect
- [ ] Foot Pursuit
- [ ] Gun Take Away
- [ ] Moving Vehicle
- [ ] Sniper/Ambush
- [ ] Startle
- [ ] Struggle Involved
- [ ] Traffic Stop
- [ ] Unarmed Person
- [ ] Unintentional
- [x] Vehicle Pursuit
- [ ] Warrant Service
- [ ] Warning Shot
- Other: ______

Initiated by (check only one):
- [ ] Arrest Warrant
- [x] Call
- [ ] Observation
- [ ] One Person Unit
- [ ] Other
- [ ] Search Warrant
- [ ] Two Person Unit

Prior Activity (check only one):
- [ ] Detective
- [ ] Inmate Transport
- [ ] Other
- [x] Routine Patrol

Aero Unit? ✓ Canine Unit? ✓

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
78	5

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (check only one)	ShiftType (check only one)
[redacted]	Elizondo	Mark		[ ] EM [x] PM [ ] Day	[x] Regular [ ] Overtime [ ] Off Duty
[redacted]	Ponce	Moises		[ ] EM [x] PM [ ] Day	[x] Regular [ ] Overtime [ ] Off Duty
[redacted]	Sanchez	Socorro		[ ] EM [x] PM [ ] Day	[x] Regular [ ] Overtime [ ] Off Duty

Non-Employee Witnesses

Last Name [redacted]	First Name [redacted]	M.I.	
Street Address [redacted]	City	Zip Code	Work Ph	Home Ph [redacted]
Last Name [redacted]	First Name [redacted]	M.I.	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph	Home Ph [redacted]
Last Name [redacted]	First Name [redacted]	M.I.	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph [redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(check one or more)
[redacted]	Gonzalez	Jose		[x] On Duty [x] Present during shooting [x] Witness to shooting [ ] Involved in shooting
				[ ] On Duty [ ] Present during shooting [ ] Witness to shooting [ ] Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Lam	Raymond	

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Ochoa	Joe	

PSTD Use Only

SH # ______

SH-R-438A (rev. 04/18/13)

See Reverse

Officer Involved Shooting

RN: 013-05241-0286-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
04/30/13	0010	04/24/15	

Employee #	Last Name	First Name	M.I.
[redacted]	Hamil	Jeffrey	F
[redacted]	Carrizosa	Slade	
[redacted]	Berg	Michael	R

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S-1	E-1	FH	SW	35			NN	
S-1	E-2	FH	SW	35			NN	
E-1	S-1	FH	BR	9	Y	Y	NN	
E-2	S-1	FH	SS	9	Y	Y	NN	
S-1	E-3	FH	SW	35			NN	
S-1	E-4	FH	SW	35			NN	
S-1	E-5	FH	SW	35			NN	
S-1	E-6	FH	SW	35			NN	
E-3	S-1	FH	HK	9	Y	Y	GS	CH
E-3	S-1	FH	BR	9	Y	Y	GS	BK
E-4	S-1	FH	HK	9	Y	Y	GS	CH
E-5	S-1	FH	HK	9	Y	Y	GS	CH
E-6	S-1	FH	HK	9	Y	Y	GS	BK

Officer Involved Shooting
Involved Employee Information

URN: 013-05841-0286-013

Involved Employee

E 1

Employee # [redacted]	Last Name: Munoz	First Name: Rafael	M.I.: R
Sex: M Race: H	Rank: Deputy	Unit Assignment: ELA	Work Assignment (Unit #, Module, etc.): 24
ShiftTime (*circle only one*): ☐ EM ☑ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☑
Hrs of sleep prior to shooting: Unknown	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 5-09 Weight: 200			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted] Prior Shootings? [redacted]	Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber: 9mm # Shots: 2	Weapons Fired Brand:	Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E 2

Employee # [redacted]	Last Name: Rodriguez	First Name: Gregory	M.I.:
Sex: M Race: H	Rank: Deputy	Unit Assignment: ELA	Work Assignment (Unit #, Module, etc.): 21
ShiftTime (*circle only one*): ☐ EM ☑ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☑
Hrs of sleep prior to shooting: 6-8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 5-10 Weight: 200			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted] Prior Shootings? [redacted]	Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Sig Sauer	Caliber: 9mm # Shots: 1	Weapons Fired Brand:	Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.

E 3

Employee # [redacted]	Last Name: Creamer	First Name: George	M.I.:
Sex: M Race: W	Rank: Deputy	Unit Assignment: SEB	Work Assignment (Unit #, Module, etc.): Black Team
ShiftTime (*circle only one*): ☐ EM ☑ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☑
Hrs of sleep prior to shooting: 0	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors: SEB GEAR/ AND QUALIFICATIONS
Age: [redacted] Height: 5-11 Weight: 205			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted] Prior Shootings? [redacted]	Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: H@K	Caliber: 9mm # Shots: 30	Weapons Fired Brand: Beretta	Caliber: 9mm # Shots: 12
Field Training Officer Emp # [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.

Officer Involved Shooting
Involved Employee Information

URN: ____________

Involved Employee

E 4

Employee # [redacted]	Last Name: Galvez		First Name: Gonzalo	M.I.
Sex: M Race: H	Rank: Deputy	Unit Assignment: SEB	Work Assignment (Unit #, Module, etc.): Black Team	
ShiftTime (*circle only one*): ☐ EM ☐ PM ☑ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:	
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #	Interviewed? ☑
Hrs of sleep prior to shooting: 5	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors: SEB GEAR/QUALIFICATIONS	
Age: [redacted] Height: 6-0	Weight: 190			
Range Qualification Date: [redacted]		PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]	Directed Force: [redacted]
Weapons Fired Brand: H@K	Caliber 9mm	# Shots 10	Weapons Fired Brand:	Caliber # Shots
Field Training Officer Emp # [redacted]	Last Name [redacted]		First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]		First Name [redacted]	M.I.

E 5

Employee # [redacted]	Last Name: Miranda		First Name: Charles	M.I. A
Sex: M Race: H	Rank: Deputy	Unit Assignment: SEB	Work Assignment (Unit #, Module, etc.): Black Team	
ShiftTime (*circle only one*): ☐ EM ☐ PM ☑ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:	
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #	Interviewed? ☑
Hrs of sleep prior to shooting: 2	Du[redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors: SEB GEAR/QUALIFICATIONS	
Age: [redacted] Height: 5-10	Weight: 195			
Ran[redacted]cation Date: [redacted]		PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]	Directed Force: [redacted]
Weapons Fired Brand: H@K	Caliber 9mm	# Shots 13	Weapons Fired Brand:	Caliber # Shots
Field Training Officer Emp # [redacted]	Last Name [redacted]		First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]		First Name [redacted]	M.I.

E 6

Employee # [redacted]	Last Name: Mayberry		First Name: Thomas	M.I.
Sex: M Race: W	Rank: Deputy	Unit Assignment: SEB	Work Assignment (Unit #, Module, etc.): Black Team	
ShiftTime (*circle only one*): ☐ EM ☐ PM ☑ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:	
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #	Interviewed? ☑
Hrs of sleep prior to shooting: 2	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors: SEB GEAR/QUALIFICATIONS	
Age: [redacted] Height: 5-10	Weight: 185			
Range [redacted]n Date: [redacted]		PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]	Directed Force: [redacted]
Weapons Fired Brand: H@K	Caliber 9mm	# Shots 10	Weapons Fired Brand:	Caliber # Shots
Field Training Officer Emp # [redacted]	Last Name [redacted]		First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]		First Name [redacted]	M.I.

Officer Involved Shooting
Suspect Information

URN: 013-05241-0286-013

Suspect Information

S 1

Last Name: Ramirez	First Name: Eddie	M.I.
AKA Last Name: Lil Bullit	First Name	M.I.

Sex: M Race: H	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone: None	Home Phone:	Social Secu[redacted]	Driver's Licen[redacted]
Age: 35 D.O.B. 08/18/78	Height: 5-6 Weight: 150	FBI # [redacted]	CII # [redacted]
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☑	Coroner Case # 2013-03163	Intoxication/Drug Usage? ☑	Substance Used: PCP/Methamphetamine
Armed? ☑	Apprehended? ☐	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make		Model:	Year:

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

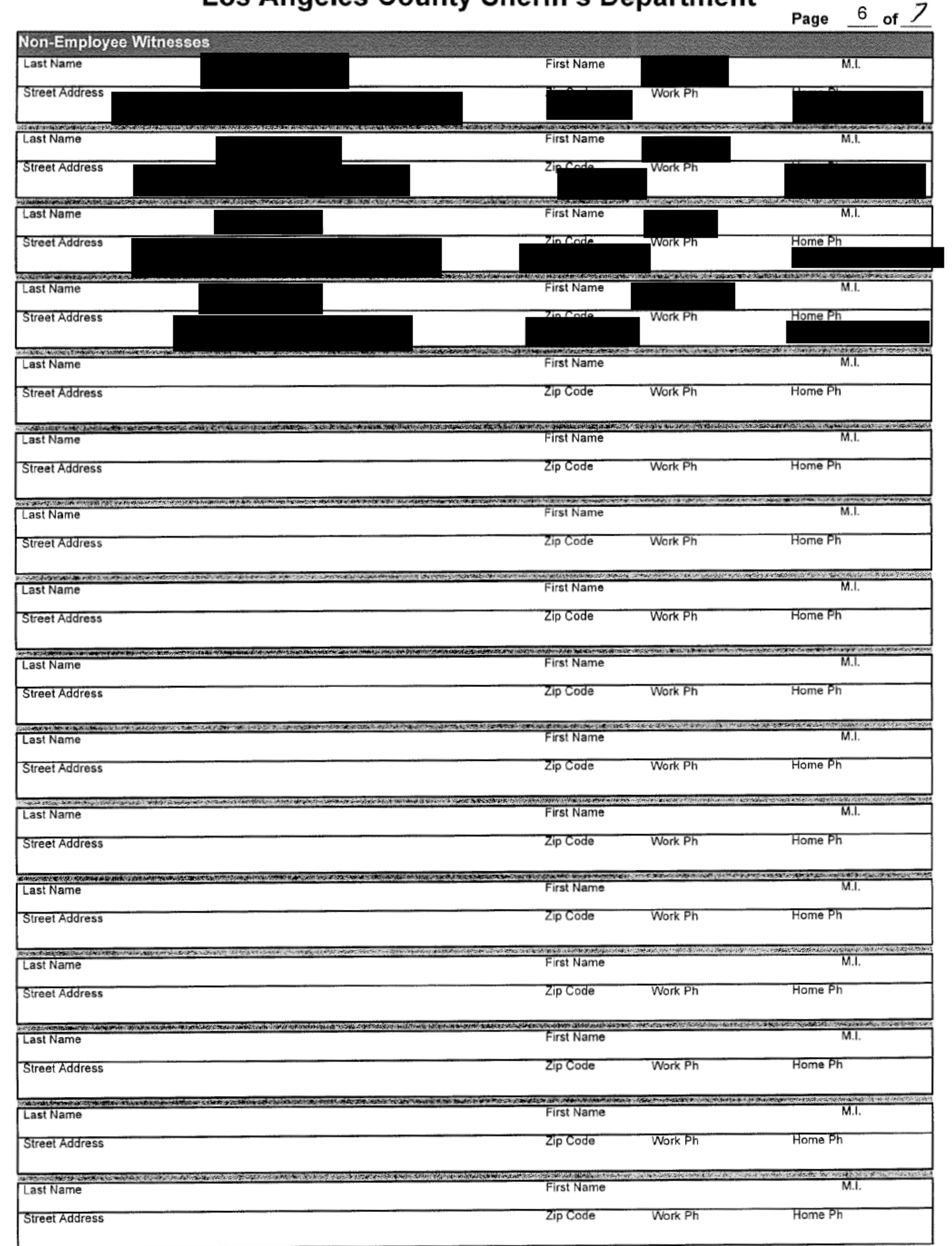
Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

SUPPLEMENTAL NON-EMPLOYEE WITNESSES

Los Angeles County Sheriff's Department



Non-Employee Witnesses

Last Name [redacted]		First Name [redacted]		M.I.	
Street Address [redacted]	[redacted]	Work Ph	[redacted]		
Last Name [redacted]		First Name [redacted]		M.I.	
Street Address [redacted]	[redacted]	Work Ph	[redacted]		
Last Name [redacted]		First Name [redacted]		M.I.	
Street Address [redacted]	[redacted]	Work Ph	Home Ph [redacted]		
Last Name [redacted]		First Name [redacted]		M.I.	
Street Address [redacted]	[redacted]	Work Ph	Home Ph [redacted]		
Last Name		First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph		
Last Name		First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph		
Last Name		First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph		
Last Name		First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph		
Last Name		First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph		
Last Name		First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph		
Last Name		First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph		
Last Name		First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph		
Last Name		First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph		
Last Name		First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph		
Last Name		First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph		
Last Name		First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph		

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Gonzalez	Jose		Sergeant ELA Station [redacted]		[redacted]	
Pratt	Steven		Deputy SE[redacted]		[redacted]	
Schultz	Marc		Deputy SEB[redacted]		[redacted]	
Ahmad	Kamal		Sergeant SE[redacted]		[redacted]	

INVESTIGATIVE SUMMARY

INTERNAL AFFAIRS BUREAU

DEPUTY INVOLVED HIT SHOOTING

INVESTIGATIVE SUMMARY

CASE NUMBER:	**SH 2334307**
URN:	**013-05241-0286-013**
SUBJECT:	**Eddie Ramirez MH/ 08/18/1978**
STATION/UNIT/BUREAU:	**East Los Angeles Station/Central Patrol Division Special Enforcement Bureau/Homeland Security Bureau**
DATE/TIME/DAY:	**April 29, 2013, 2220 hours, Monday**
LOCATIONS:	**[redacted] block of Progress Place, Los Angeles, CA 90033** **[redacted] Fairview Avenue, Los Angeles, CA 90033**

SYNOPSIS:

Deputies from East Los Angeles Station responded to [redacted] South Woods Avenue, Los Angeles, regarding an armed carjacking, just occurred call. The victim told deputies his vehicle (Acura TL) was taken at gunpoint by the suspect.

Deputies Rafael Munoz [redacted] and Moises Ponce [redacted], (Unit 24) saw the vehicle traveling north on Atlantic Avenue. They followed the Acura until several assisting units arrived. They attempted to stop the vehicle; however, the suspect failed to yield and a vehicle pursuit ensued. See the vehicle pursuit memorandum and evaluation with all supplemental reports describing the crime, the pursuit, and the assault on the deputies, **Exhibit C**. Air Unit 22, Deputies Magdaleno [redacted] and Daily [redacted], responded and began broadcasting the pursuit. The pursuit covered several surface streets within the city of Los Angeles for a distance of 4.5 miles and a time of 5:50 minutes.

During the pursuit, Deputy Leopoldo Sanchez, [redacted] attempted to deploy a spike strip, at [redacted] N. Soto Street, but was unsuccessful because the suspect attempted to run him over with the vehicle. See supplemental report by Deputy Sanchez, **Exhibit A page 21**, and **Exhibit C**. Immediately after the assault on Deputy Sanchez, the suspect also attempted to hit Deputy Carlos Lopez, [redacted] with the Acura.

INTERNAL AFFAIRS BUREAU

DEPUTY INVOLVED HIT SHOOTING

INVESTIGATIVE SUMMARY

In the area of [redacted] Soto Street, Deputy Lopez took evasive action to avoid being struck head on. See supplemental report, **Exhibit A, page 7, and Exhibit C**.

The pursuit eventually terminated in the [redacted] block of Progress Avenue in the city of Los Angeles.

The suspect exited his vehicle and ran west, toward a chain-link fence. He jumped over the fence and ran into the dirt field. Deputy Munoz, Ponce, Rodriguez and [redacted] approached the Acura walking shoulder to shoulder, and checked the vehicle for additional suspects or victims. They walked west on Progress Place and searched for the suspect and as they approached an abandoned car, parked on the west shoulder of Progress Place, the suspect was seen running with a handgun in his right hand. The suspect was approximately ten feet from an opening in the fence and the suspect pointed a handgun at Deputies Munoz and Rodriguez. Fearing for their safety, Deputies Munoz and Rodriguez fired at the suspect, missing him. Deputy Munoz fired two rounds and Deputy Rodriguez fired one round. Both deputies stated the shooting occurred seconds after the end of the pursuit. Refer to photographs used during deputy interviews for exact locations.

IAB Note: The audio recording of the incident documented the shooting occurred nineteen seconds after the pursuit ended.

Deputies Munoz and Rodriguez both related it was hard to verbally communicate between the deputies on foot because of the helicopter overhead. They were able to communicate with Air 22 via radio. Deputy Rodriguez had used the abandoned vehicle as cover during the shooting to clear his malfunction. Deputy Munoz stated the incident occurred so quickly and the suspect had surprised him, he only had a small block wall for cover.

The suspect ran toward a [redacted] apartment complex at [redacted] Fairview Avenue and forced his way into apartment [redacted], causing the female occupant to flee (Witness [redacted]). The suspect ran from this apartment and forced his way into apartment [redacted], forcing the occupants to seek refuge in their bathroom (Witness [redacted] and [redacted]). The suspect barricaded himself inside the apartment.

SEB K-9 Sergeant Hayes [redacted], Deputy Jurado [redacted], Reddy [redacted], Missel [redacted] and Barragan [redacted] responded and began to scout the area. While scouting the area, the suspect shot one round toward the K-9 units from inside apartment [redacted]. **Refer to Exhibit B, page 7.** Deputy Jurado was on the [redacted] of the complex when he heard the single shot coming from apartment [redacted].

INTERNAL AFFAIRS BUREAU

DEPUTY INVOLVED HIT SHOOTING

INVESTIGATIVE SUMMARY

Special Enforcement Bureau (SEB) was notified and responded. After Deputy Creamer and Sergeant Ahmad formulated a tactical and rescue plan, multiple SEB teams converged on the apartment complex. Crisis negotiators attempted to establish communication with the suspect to facilitate his surrender to no avail. Simultaneously, SEB deputies began to rescue the occupants in apartment [redacted] by evacuating them via the second story bathroom window utilizing ladders. See a description of the evacuation process of apartment [redacted] and the surrounding apartments in **Exhibit A, page 55**

After approximately three hours and a supervisory approval of Deputy Creamer's tactical operation plan, SEB deputies introduced tear gas into the apartment. SEB also utilized two remote control robots to monitor the suspect's whereabouts.

During the operation, the suspect emerged from the apartment two different times and pointed a handgun at SEB deputies. This was observed by the deputies monitoring the video from the robot. Deputy Creamer saw the suspect's actions and fired at the suspect both times.

The suspect emerged from the apartment a third time and ran toward SEB deputies while firing his handgun at them. The SEB deputies were staged on a four foot walk way, just out of sight of the suspect. See photographs utilized during the deputies' interviews. Deputies Creamer, Miranda, Mayberry, and Galvez fired numerous rounds at the suspect, striking him.

Suspect Ramirez sustained multiple gunshot wounds to the torso. He was immediately treated at the scene by paramedics from the Emergency Services Detail (ESD). After life-saving efforts failed, Suspect Ramirez was pronounced dead at the scene.

The suspect's handgun, a .357 caliber revolver, was recovered at the scene. The gun contained five expended shell casings and one live round. An AFS printout is included in **Exhibit A, page 138.**

Three expended 9mm shell casings, along with one live round, were recovered at the scene of the original shooting involving deputies from East Los Angeles Station, [redacted] Block of Progress Place. See **Exhibit B, page 2**.

Seventy-three expended 9mm shell casings were recovered at the second shooting scene, [redacted] Fairview Avenue. Two shell casings were not located. See **Exhibit A, page 95-120.**

INTERNAL AFFAIRS BUREAU

DEPUTY INVOLVED HIT SHOOTING

INVESTIGATIVE SUMMARY

Internal Affairs Bureau Lieutenant Mike Berg, along with Sergeants Jeff Hamil and Slade Carrizosa, responded to the location to conduct an administrative review of the incident. The review is based on written documentation and interviews of witnesses and involved employees.

INVOLVED PERSONNEL:

Munoz, Rafael, Deputy, [redacted] MH/45, 5-9, 200 lbs. Right Handed, East Los Angeles Station.

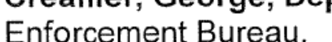
Date of Employment:
Date assigned to Patrol:
Date Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:


[redacted]

Rodriguez, Gregory, Deputy,  [redacted]**,** MH/33, 5-10, 200 lbs. Right Handed, East Los Angeles Station.

Date of Employment:
Date assigned to Patrol:
Date Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:


[redacted]

Creamer, George, Deputy,  [redacted] MW/45, 5-11, 205 lbs. Right Handed, Special  Enforcement Bureau.

Date of Employment:
Date assigned to Patrol:
Date Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:


[redacted]

INTERNAL AFFAIRS BUREAU

DEPUTY INVOLVED HIT SHOOTING

INVESTIGATIVE SUMMARY

Galvez, Gonzalo, Deputy, [redacted] MH/35, 5-10, 190 lbs. Right Handed, Special Enforcement Bureau.

Date of Employment:
Date assigned to Patrol:
Date Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:


[redacted]

Miranda, Charles, Deputy, [redacted] MH/49, 5-10, 195 lbs. Ambidextrous, Special Enforcement Bureau.

Date of Employment:
Date assigned to Patrol:
Date Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:


[redacted]

Mayberry, Thomas, Deputy, [redacted] MW/42, 5-10, 185 lbs. Right Handed, Special Enforcement Bureau.

Date of Employment:
Date assigned to Patrol:
Date Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:


[redacted]

SUSPECT:

Ramirez, Eddie, MH/35, DOB 08/18/1978, 5-06, 150 lbs. (Deceased).

The Consolidated Criminal History System revealed the suspect had been arrested on numerous occasions under numerous aliases. Convictions included: Weapons Violations, Narcotic Violations, Robbery, Vehicle Theft and Vandalism.

Suspect Ramirez's Criminal History is included in the IAB case book as **Exhibit A, pages 142-154.**

Suspect Ramirez was a documented "Primera Flats" Gang Member.

INTERNAL AFFAIRS BUREAU

DEPUTY INVOLVED HIT SHOOTING

INVESTIGATIVE SUMMARY

DEPARTMENT WITNESSES:

[redacted], (ELA), [redacted]
Ponce, Moises, (ELA), [redacted]
Sanchez, Socorro, (ELA), [redacted]
Gonzalez, Jose, (ELA), [redacted]
Pratt, Steve, (SEB), [redacted]
Schultz, Marc, (SEB), [redacted]
Ahmad, Kamal, (SEB), [redacted]
NON-DEPARTMENT WITNESSES:


[redacted], M/H, [redacted]
[redacted], F/O, [redacted]
[redacted], F/O, [redacted]
[redacted], M/O, [redacted]
[redacted], F/H, [redacted]
[redacted], F/H, [redacted]
[redacted], F/H, [redacted]

INJURIES:

SUSPECT:

Suspect Ramirez sustained multiple gunshot wounds to the head, and upper torso. He was pronounced dead at the location by Deputy Douchette [redacted] (ESD Paramedic) at 0315 hours. Coroner's report under case number 2013-03163, is included in **Exhibit A, pages 159-197**.

DEPARTMENT PERSONNEL:

None

PHYSICAL EVIDENCE:

Numerous items of evidence were collected by personnel from the Scientific Services Bureau. Suspect Ramirez's firearm was among the items recovered and collected as evidence.

IAB Note: A sketch of the crime scene and evidence legend is included in the IAB case book, **Exhibit A, pages 90-102**. Crime scene photographs are included in the IAB case book as **Exhibit D**.

DISTANCES:

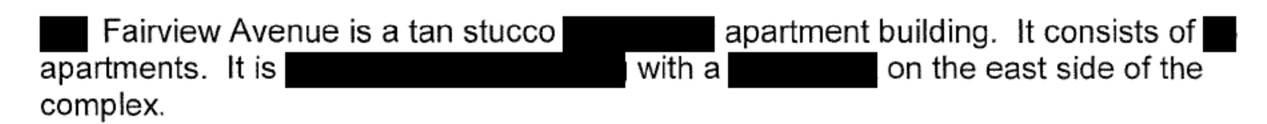
Progress Place, approximately fifteen to twenty feet.

[redacted] Fairview Avenue, approximately thirteen to four feet.

INVESTIGATORS OBSERVATION:

The Internal Affairs Bureau Investigators arrived at the scene approximately two hours after the initial incident occurred. The crime scene was secured. The incident was still in progress and after the suspect was secured, the involved (ELA) deputies were transported to East Los Angeles Station. The SEB personnel were transported to SEB Headquarters to await interviews.

Progress Place is a two lane, north-south residential street. It has a cul-de-sac to the north, and Cesar E. Chavez Avenue to the south. Progress Place has a slight incline and has an overhanging street lamp in the cul-de-sac. Investigators observed two Sheriff's Department radio cars parked behind a black Acura, four door vehicle. Due to the large crime scene, we were unable to get a closer description. For a complete description of the crime scene, see **Exhibit B, pages 4-6**. Copies of the crime scene photographs are included in **Exhibit D**.


[redacted] Fairview Avenue is a tan stucco [redacted] apartment building. It consists of [redacted] apartments. It is [redacted] with a [redacted] on the east side of the complex.

Investigators observed numerous Sheriff's Department vehicles parked in the parking lot. We also observed two ladders propped against the building which were used for hostage rescue and to introduce gas into the apartment.

The interior of the apartment was taped off while Crime Lab personnel collected the evidence. For a complete description of the crime scene, see **Exhibit A, pages 46-49**. Copies of the crime scene photographs are included in **Exhibit D**.

REVIEW OF RADIO TRANSMISSIONS:

The Internal Affairs Bureau Investigators reviewed the radio traffic associated with the incident.

ELA PURSUIT-998.

On the main working frequency (Dispatch 3), at 2228 hours, Deputy Munoz is heard requesting the "Patch" for a [redacted] vehicle ([redacted] as he exits the 60 freeway and drives north on Soto Avenue. Unit 21 is ([redacted]). Thirty two seconds later 20S (Gonzalez) acknowledges and responded along with different units. Three minutes later Air 22 is overhead and begins broadcasting the pursuit. Approximately three minutes later the first assault ([redacted]) on a deputy is broadcast by Air 22. Nine seconds after, Air 22 broadcasts the second assault ([redacted]). Two minutes and fifty five seconds later the suspect runs from the vehicle. Nineteen seconds after the suspect ran from the Acura, the first officer involved shooting ([redacted]) occurred. Fourteen seconds after the [redacted], all deputies are accounted for. The remainder of the radio traffic is setting up the containment of [redacted] Fairview Avenue.

A copy of the "Cold line" communication between ELA Station and Sheriff's Communication Center is included in **Exhibit C**.

SEB radio traffic is on "[redacted]" which is a "Secured" frequency and is not recorded. The video from the robots is also not recorded.

WEAPONS USED BY DEPARTMENT PERSONNEL:

Deputy Munoz

Service Weapon type:	Beretta 9mm Semi-Automatic
Rounds Fired:	2
Type of Ammunition:	Department Issued 147gr (Win) 9mm Lugar
Date Employee Last Qualified:	[redacted]
Equipment:	2 magazines, radio, 2 sets of handcuffs, baton

IAB Note: An examination of Deputy Munoz's firearm indicated he shot 2 rounds. The Test Fire Exam Report of Deputy Munoz's firearm is included in the IAB case book, **Exhibit A, page 120**. Deputy Munoz's Firearms Training Record and Qualification Record are included in the IAB case book in the **Miscellaneous Documents.**

Deputy Rodriguez

Service Weapon Type:	Sig Sauer P226 9mm Semi-Automatic
Rounds Fired	1
Type of Ammunition	Department Issued 9mm Automatic (Win) Lugar 147gr.
Date Employee Last Qualified	[redacted]
Equipment	2 magazines for his duty weapon, radio, 2 sets Handcuffs, collapsible baton and flashlight.

IAB Note: An examination of Deputy Rodriguez's firearm indicated he shot 1 round. The Test Fire Exam Report of Deputy Rodriguez's firearm is included in the IAB case book, **Exhibit A, page 121**. Deputy Rodriguez's Firearms Training Record and Qualification Record are included in the IAB case book in the **Miscellaneous Documents**.

Deputy Creamer

Service Weapon Type:	Heckler & Koch M/P 5. Beretta 92A1 9mm
Rounds Fired	42
Type of Ammunition	Department Issued 9mm Automatic (Win) Lugar 147gr.
Date Employee Last Qualified	[redacted]
Equipment	SEB Entry Gear

IAB Note: An examination of Creamer's firearms indicated he shot 42 rounds. The Test Fire Exam Report of Deputy Creamer's firearms are included in the IAB case book, **Exhibit A, page 122**. Deputy Creamer's Firearms Training Record and Qualification Record are included in the IAB case book in the **Miscellaneous Documents**.

Deputy Galvez

Service Weapon Type:	Heckler & Koch M/P 5.
Rounds Fired	10
Type of Ammunition	Department Issued 9mm Automatic (Win) Lugar 147gr.
Date Employee Last Qualified	[redacted]
Equipment	SEB Entry Gear

IAB Note: An examination of Galvez's firearms indicated he shot 10 rounds. The Test Fire Exam Report of Deputy Galvez's firearms are included in the IAB case book, **Exhibit A, page 121**. Deputy Galvez's Firearms Training Record and Qualification Record are included in the IAB case book in the **Miscellaneous Documents**.

Deputy Miranda

Service Weapon Type:	Heckler & Koch M/P 5.
Rounds Fired	13
Type of Ammunition	Department Issued 9mm Automatic (Win) Lugar 147gr.
Date Employee Last Qualified	[redacted]
Equipment	SEB Entry Gear

IAB Note: An examination of Miranda's firearms indicated he shot 13 rounds. The Test Fire Exam Report of Deputy Miranda's firearms are included in the IAB case book, **Exhibit A, page 122**. Deputy Miranda's Firearms Training Record and Qualification Record are included in the IAB case book in the **Miscellaneous Documents**.

INTERNAL AFFAIRS BUREAU

DEPUTY INVOLVED HIT SHOOTING

INVESTIGATIVE SUMMARY

Deputy Mayberry

Service Weapon Type:	Heckler & Koch M/P 5.
Rounds Fired	10
Type of Ammunition	Department Issued 9mm Automatic (Win) Lugar 147gr.
Date Employee Last Qualified	[redacted]
Equipment	SEB Entry Gear

IAB Note: An examination of Mayberry's firearms indicated he shot 10 rounds. The Test Fire Exam Report of Deputy Mayberry's firearms are included in the IAB case book, **Exhibit A, page 123**. Deputy Mayberry's Firearms Training Record and Qualification Record are included in the IAB case book in the **Miscellaneous Documents**.

WEAPON USED BY SUSPECT:

A loaded stainless steel .357 revolver pistol, (Smith & Wesson serial number 4D38111) was recovered from the suspect. Recovered from the weapon was 5 expended .38 plus P rounds, and 1 live round.

PROPERTY DAMAGE:

There was no property damage at the [redacted] block of Progress Place. The apartment building at [redacted] Fairview Avenue sustained extensive damage. Especially apartments [redacted] and [redacted], for a complete list of damage, see **Exhibit A, pages 48-51**.

CRIMINAL INVESTIGATORS/CHARGES FILED:

Investigators:	Sergeant Luis Nunez [redacted] and Detective Dan Morris [redacted], Homicide Bureau.
Charges:	Suspect deceased.

LIGHTING AND WEATHER CONDITIONS:

The incidents took place on a cool, clear night at approximately 2220 hours. The [redacted] block of Progress was illuminated by overhanging street lights. The [redacted] Fairview Avenue incident occurred at approximately 0305 hours and the apartment's exterior was dark with no lighting.

INVOLVED EMPLOYEE STATEMENTS:

Deputy Munoz

On April 30, 2013, at 1315 hours, Deputy Rafael Munoz [redacted] was interviewed (audio-taped) by Homicide Bureau Sergeant Nunez and Detective Tomlin at East Los Angeles Sheriff's Station. The interview is summarized and included in **Exhibit A, pages 73-74.** See attached transcripts.

On April 7, 2015, at 1544 hours, Deputy Munoz was interviewed by IAB Sergeants Hamil and Morris. He was represented by Attorney Audra Call from the law firm of Green and Shinee. The following is a summary of his interview. See the attached verbatim transcripts.

On April 29, 2013, Deputy Munoz was working with Deputy Ponce as 24 PM's and he was Deputy Ponce's Field Training Officer. They were in a marked black and white sheriff's vehicle and were both dressed in class "A" uniforms. He was driving and Ponce was seated in the passenger seat. Munoz stated he and Ponce had talked about tactics and what they would do on different scenarios during each shift they worked. Munoz stated both deputies' hand held radios were set to East Los Angeles Station working frequency and the car radio was on the station's L-Tac frequency.

Deputy Munoz stated he and his partner responded to an armed carjacking call, when they observed a vehicle as described in the carjacking call at Atlantic Avenue and 1st Street. The vehicle followed the vehicle as it entered the westbound 60 Freeway. Unit 21PM, Deputies (Unit 24PM) Rodriguez and [redacted], was behind him. Deputy Munoz confirmed the black Acura was the stolen car and advised SCC he was [redacted] The Acura exited the 60 Freeway at Soto Street and drove north. Air 22 arrived overhead and prior to this point the suspect had been obeying all traffic rules. Deputy Munoz stated at Soto Street and Cesar Chavez Avenue, the suspect began to accelerate and Air 22 advised of the pursuit.

Deputy Munoz stated the pursuit went in circles. He estimated the top speed of the pursuit was sixty miles per hour, and remembered Air 22 had advised the speeds were approximately eighty miles per hour. He remembered looking at his speedometer and saw in contrast that it was sixty. During the pursuit the suspect attempted to strike two sheriff's vehicles and he heard Air 22 advise the suspect had [redacted]" (Assault with a Deadly Weapon) the two units. An audio copy of the pursuit is included in **Exhibit D**.

IAB Note: See **Exhibit B** for the Pursuit Evaluation and all reports and radio traffic associated with the pursuit. Also included are the reports from the two deputies who were assaulted during the pursuit by the suspect. Copies of all reports associated with this incident are included in **Exhibit A** of the IAB case book.

Deputy Munoz said the Acura's tire began to come apart as the vehicle turned north onto Progress Place. The suspect stopped the car and ran west on Progress Place. The Acura rolled back into his patrol car striking the front bumper. He and the other East Los Angeles deputies cleared the Acura and were clearing west on Progress Place because there were walls which could provide concealment for the suspect. Deputy Munoz said as they approached an abandoned car parked on the west side of Progress Place, he observed the suspect running west in a dirt field. He said there was a chain link fence between him and the suspect, but he had an unobstructed view and there was light provided by an overhanging street lamp. The dirt field led to a down sloping hillside, looking over the 710 freeway.

The suspect turned in his direction and pointed a silver handgun at him from approximately fifteen to twenty feet. See **Exhibit E** for the photographs depicting the area used during Deputy Munoz' interview. Deputy Munoz, fearing for his life and his partner's, fired two quick shots at the suspect. He did not have time to utilize his sights, nor did he have any cover.

Deputy Munoz remembered he heard someone yell "Gun." After firing his rounds, the suspect ran out of sight and a containment was established. He estimated he fired at the suspect at a distance of fifteen feet, and did not know if he had shot the suspect. Deputy Munoz said his backdrop was an empty field that sloped down to a freeway. He observed no pedestrian traffic during the shooting. He stated when he saw the suspect, he knew his partner (Ponce) was by his side and the other deputies were behind him. He stated there was no cross fire issue when he shot.
Deputy Munoz said he had to remain on a containment spot for a awhile due to the lack of units. He could not remember how long it was before he was relieved and transported to the station.

IAB Note: Deputy Munoz was shown multiple photographs of the crime scene during his interview. The Photographs will be included in the IAB case book as **Exhibit E**.

Deputy Rodriguez

On April 30, 2013, at 1352 hours, Deputy Rodriguez [redacted] was interviewed (audio-taped) by Homicide Bureau Sergeant Nunez and Detective Tomlin at East Los Angeles Sheriff's Station. The interview is summarized and included in **Exhibit A, pages 76-77.** See attached transcripts.

On April 7, 2015, at 1507 hours, Deputy Rodriguez was interviewed by IAB Sergeants Hamil and Morris. He was represented by Attorney Audra Call from the law firm of Green and Shinee. The following is a summary of his interview. See the attached verbatim transcripts.

Deputy Rodriguez was working Unit 21 PM with Deputy [redacted]. They were driving a marked black and white patrol vehicle and Deputy Rodriguez was in the passenger seat, and [redacted] was driving. They were both in full class "A" uniforms with "Sam Browne" gun belts.

Deputy Rodriguez said they were at the end of their shift, when they heard the carjacking call. They left the station and began to look for the vehicle. They saw the vehicle entering the 60 Freeway and followed. They were behind Deputies Munoz and Ponce (Unit 24PM). Deputy Rodriguez said they remained the second unit behind Deputy Munoz and Ponce.

Deputy Rodriguez said as the vehicle exited the freeway and Air 22 arrived overhead, they engaged in a vehicle pursuit. During the pursuit he heard over the radio that two deputies had been assaulted by the suspect. He witnessed one of the assaults as the Acura went "head on" with a patrol vehicle. As the Acura drove onto Progress Place, he saw it come to a stop and the suspect run west and out of sight behind a wall. Deputy Rodriguez said they cleared the Acura and began to look for the suspect west on Progress Place because of the suspect was possibly hiding behind the wall or the abandoned vehicle.

Deputy Rodriguez was walking north on Progress Place, after clearing the passenger side of the Acura. He saw the suspect on the west side of a chain link fence, and as he saw him, the suspect pointed a silver hand gun at him. He yelled "Gun" two or three times, and heard two gun shots. He did not know who shot but believed it was the

suspect. Deputy Rodriguez fired one shot at the suspect before his gun malfunctioned. He cleared the malfunction, but when he came up to re-engage, the suspect had fled. Deputy Rodriguez used the abandoned car for cover and crouched behind it to clear the malfunction.

Deputy Rodriguez said he was able to pick up both of his sights when he shot and had an unobstructed view of the suspect. The lighting was poor, illuminated only by an amber street light. He estimated he shot at the suspect from a distance of approximately twenty-five feet. He knew his back drop was an open field and saw no pedestrian traffic. He estimated the time from the suspect exiting the Acura to when he shot was less than a minute. Deputy Rodriguez stated there were no deputies between him or the suspect so there was no cross fire situation. At no time were they in foot pursuit.

Deputy Rodriguez said he took up a containment spot due to the suspect barricading himself in an apartment building which backed up to Progress Place. He stayed on the containment until he was relieved because of the lack of units. Deputy Rodriguez stated his shot should have been at a straight level angle.

IAB Note: Deputy Rodriguez was shown multiple photographs of the crime scene during his interview. The Photographs will be included in the IAB case book as **Exhibit F**.

Deputy Creamer

On April 30, 2013, at 1530 hours, Deputy Creamer [redacted] was interviewed (audio-taped) by Homicide Bureau Sergeant Nunez and Detective Tomlin at Special Enforcement Bureau. The interview is summarized and included in **Exhibit A, pages 81-82.** See attached transcripts.

On March 24, 2015, at 1323 hours, Deputy Creamer was interviewed by IAB Sergeants Hamil and Mendoza. He was advised of his right to representation but declined. The following is a summary of his interview. See the attached verbatim transcripts.

Deputy Creamer stated he was the Scout Deputy for the SEB Black Team when he received a call to respond to [redacted] Fairview Avenue for a barricaded suspect who had taken hostages. He arrived at the location and as the "Scout" it was his responsibility with the team sergeant to develop the tactical plan. When he arrived at the location, he was briefed that the suspect had barricaded in apartment [redacted], and he had two hostages.

He was further briefed the suspect had shot at some of the K-9 handlers who were on containment.

Deputy Creamer initiated an evacuation plan for the apartment building in case they had to perform a hostage rescue and devised a plan to evacuate the hostages via the bathroom window. Once the hostages were evacuated, they began to work on a "Gas" plan to get the suspect to surrender if the Crisis Negotiation Team was unsuccessful. Deputy Creamer said they had tried numerous public address announcements for the suspect to surrender but the suspect would not comply. He received information from the Command Post that the suspect had called his daughter and told her he was not going back to prison, and he was going to go out with a "bang." Deputy Creamer said they had no contact with the suspect so he had two robots with cameras deployed in front of the door to apartment [redacted]. He did this because of the layout of the apartment building; anyone on the walkway would have been in the kill zone.

Deputy Creamer said after the apartment building was evacuated, and an hour or so of failed negotiations, a search warrant was signed, and an approval was given by supervision to implement the gas plan. The gas was a mixture of both "Hot and Cold" gas introduced through the rear of the apartment. Deputy Creamer said the deputies introducing the gas were on the [redacted] of the apartment and well below the line of fire.

The deputies on the entry team donned their gas masks as the gas was being deployed. Deputy Creamer said his team trains extensively with gas masks, and he has a laser on his H&K MP5 which he used for these occasions. It allows him to center the weapon on his chest and use the laser to sight in on the target.

Deputy Creamer said within seconds of introducing the gas into the apartment, he heard from the deputies monitoring the video that the door was opening. Deputy Creamer said he could not see the door from his position because it would have exposed his head to the suspect's line of fire. The team was positioned on a four foot wide walkway which "T" into the four foot wide hallway directly in front of apartment [redacted]. The walkway was approximately thirteen feet from the apartment door.

Deputy Creamer said when he heard the suspect was exiting the apartment; he stepped from his cover to get a visual of the door. The smoke was obscuring his vision so he relied on the information being relayed from the robot video. The deputies monitoring the video, relayed the suspect had an object in his right hand. Deputy Creamer could see the suspect crouched at the lower part of the door. He saw the suspect start to stand up and raise a handgun. Deputy Creamer fired four or five rounds at the suspect.

Some of his rounds struck the metal banister and the door. Deputy Creamer knew his bullets were capable of penetrating the hollow door. The suspect retreated into the apartment and tried to shut the door.

Deputy Creamer said approximately thirty seconds later the suspect opened the door again. The suspect crouched behind the door and pointed a handgun at them. Deputy Creamer fired three to four more shots at where he believed the suspect was hiding. He believed Deputy Mayberry also fired rounds. The suspect retreated inside apartment and shut the door. The team did a roll call to account for deputies. Deputy Creamer instructed the team to back away from their location (corner of the apartment hallway) while he maintained a visual on the door because the suspect knew their location.

Deputy Creamer said the deputies monitoring the video advised the suspect began to exiting the apartment. Deputy Creamer saw the door open and the suspect exit. The suspect ran two feet and fired his first shot at him, so he returned fire (4-5) rounds. The suspect stopped, because the robot was in his way. The suspect looked at the robot and fired at deputies again. Deputy Creamer said a round hit the stucco wall next to his head and sprayed the team with debris. Based on that shot, he switched his H&K to fully automatic fire and placed the laser on the suspect and unloaded his weapon. Deputy Creamer could see his bullets striking the suspect, but the suspect continued to advance on them.

Deputy Creamer said the suspect reached four feet from the team when his weapon ran out of ammunition. He transitioned to his Beretta and continued to engage the suspect. The suspect fired again. Deputy Creamer heard the other deputies firing at the suspect. As the suspect reached the threshold of apartment [redacted] he could see the suspect starting to fall. As the suspect fell to the ground, the suspect fired one more time, with the bullet striking the stucco above their heads. The other team members continued to engage the suspect until he went down in front of apartment [redacted].

Deputy Creamer stated he and members of his team cleared apartments [redacted] and [redacted], while the paramedics attended to the suspect. Deputy Creamer recovered a bullet fragment from his gas mask, **Exhibit A, page 23**. Deputy Creamer did not see any contagious fire, and all of the rounds fired were target specific.

Deputy Creamer brought up less lethal equipment and had it staged in one of the vacated apartments. They had a 40.mm sponge gun, tasers, and K-9 units.

IAB Note: Deputy Creamer was shown multiple photographs of the crime scene during his interview. The photographs will be included in the IAB case book as **Exhibit G**.

Deputy Galvez

On April 30, 2013, at 1600 hours, Deputy Galvez [redacted] was interviewed (audio-taped) by Homicide Bureau Sergeant Nunez and Detective Tomlin at Special Enforcement Bureau. The interview is summarized and included in **Exhibit A, pages 78-79.** See attached transcripts.

On March 24, 2015, at 1443 hours, Deputy Galvez was interviewed by IAB Sergeants Hamil and Mendoza. He was advised of his right to representation but declined. The following is a summary of his interview. See the attached verbatim transcripts.

Deputy Galvez responded to [redacted] Fairview Avenue regarding a hostage situation. Once he arrived he heard a gunshot coming from the location, so he grabbed his gear and staged in apartment [redacted], waiting for the team to arrive. He assisted with some of the apartment evacuations while additional SEB teams evacuated the other apartments from the rear of the complex. He said this had to be done because of where the suspect had barricaded himself and the doors to the apartments were in the kill zone. Deputy Galvez said he had heard the hostages had been evacuated from the bathroom window by using fire ladders. He heard from the Command Post that the suspect had called his family and said goodbye. He stated they staged in apartment [redacted] while they made numerous attempts to get the suspect to surrender peacefully, but they were unsuccessful. He heard a search warrant had been issued and the "OK" was given to implement the "Gas Plan."

Deputy Galvez said his H&K MP5 is equipped with an "Aim Point" optic sight that allows him to use his sights with or without his gas mask and he trains extensively shooting with his gas mask.

Deputy Galvez said the gas was introduced into the apartment and he saw the door open. The suspect was crawling out with a gun in his right hand. Due to the limited space on the landing, (approximately four feet), he stepped back to the "T" walkway so the first two deputies could have room to maneuverer.
[See the photographs used during Deputy Galvez' interview, **Exhibit H**.] As he stepped back, he heard someone state the suspect had a gun and was standing up. Galvez heard gunshots and that the suspect had retreated into the apartment. Seconds later he heard the door was opening and the suspect was coming out. This was followed by

another volley of gunfire. He believed the gun shots were coming from the two deputies in front of him, Deputies Mayberry and Creamer.

Deputy Galvez said they took a few steps back and Deputy Mayberry hit an air conditioner and stumbled, Deputy Creamer took his position, Deputy Miranda stepped to Creamer's right and he crouched between the two. Deputy Galvez said at this point the suspect ran from the apartment, arm extended, firing his gun. He saw the muzzle flash and heard the gun fire. He saw the bullet hit the wall next to Deputy Creamer and thought Creamer had been hit. He shot at the suspect as the suspect ran closer, firing four to five shots. He had to move back so the other deputies could get into a better firing position. The suspect continued to shoot as he ran toward them. He heard the other deputies firing and saw the suspect fall in front of apartment [redacted]. As the suspect fell, the suspect fired one more time and the bullet struck the stucco above them. Deputy Galvez stated he fired an additional four to five times at a distance of approximately four feet.

Deputy Galvez said the suspect went limp and he removed the weapon from the suspect's hand and placed it on an air conditioner. He assisted in clearing the apartments. He knew his backdrop was empty apartment buildings and all rounds fired were target specific. He saw no cover fire or contagious fire. There were no cross fire issues because they train to back out of each other's way so there is never a cross fire issue.

IAB Note: Deputy Galvez was shown multiple photographs of the crime scene during his interview. The Photographs will be included in the IAB case book as **Exhibit H**.

Deputy Miranda

On April 30, 2013, at 1622 hours, Deputy Miranda [redacted] was interviewed (audio-taped) by Homicide Bureau Sergeant Nunez and Detective Tomlin at Special Enforcement Bureau. The interview is summarized and included in **Exhibit A, pages 80-81.** See attached transcripts.

On March 24, 2015, at 1407 hours, Deputy Miranda was interviewed by IAB Sergeants Hamil and Mendoza. He was advised of his right to representation but declined. The following is a summary of his interview. See the attached verbatim transcripts.

Deputy Miranda related he responded to [redacted] Fairview Avenue regarding a hostage situation. Once he arrived, he heard a gunshot coming from the location, so he grabbed

his gear and staged in apartment [redacted], waiting for the team to arrive. He assisted with some of the apartment evacuations while additional SEB teams evacuated the other apartments from the rear of the complex.

Deputy Miranda said his H&K MP5 is equipped with an "Aim Point" optic sight that allows him to use his sights with or without his gas mask. He stated he trains extensively shooting with his gas mask. He was positioned on the landing next to Deputy Creamer's right shoulder and did not have a direct line of sight to the front door. When the gas was deployed, he heard Deputy Schultz who was monitoring the video camera state the suspect had opened the door and he had an object in his hand. The information was updated that the suspect had a gun in his hand and was crouched behind the door. He said additional announcements were made for the suspect to surrender but the suspect did not comply.

Deputy Miranda said due to the smoke in the air, Deputy Creamer leaned forward to see and he immediately heard gun shots. He thought some of the shots came from Deputy Creamer. He heard the door shut and the robot was used to push the door open. Deputy Miranda heard Deputy Schultz announce the suspect was crouched behind the door with the gun raised towards them and there was another exchange of gun fire. He could not see who was shooting because he would have had to stick his head into the kill zone. Deputy Miranda said Deputy Mayberry took a step to the rear and Deputy Creamer took the position next to the wall and he moved to Creamer's vacated position.

Deputy Miranda said the suspect exited the apartment firing at them. He saw the expended gas from the suspect's gun fire. He saw a bullet strike next to Deputy Creamer's head and saw him jerk back as if he had been shot. As Deputy Creamer jerked back, he could see the suspect charging towards them. He saw the suspect shoot two to three rounds at them. He leaned forward and engaged the suspect as he ran between apartment [redacted] and [redacted] at a distance of approximately eight feet.
Deputy Miranda said the suspect fell in the prone position but was able to lift his right arm and fire one more round at them. The round impacted above their heads and he engaged the suspect a second time. He said after the last volley of shots, the team took time to reassess.
The team moved forward and he assisted in moving the suspect from in front of apartment [redacted] so they could clear it. He estimated the entire incident took less than a minute.

Deputy Miranda stated there was no cross fire situation because they were standing side by side, and they train to shoot in close proximity of each other.

IAB Note: Deputy Miranda was shown multiple photographs of the crime scene during his interview. The Photographs will be included in the IAB case book as **Exhibit I**.

Deputy Mayberry

On April 30, 2013, at 1647 hours, Deputy Mayberry was interviewed (audio-taped) by Homicide Bureau Sergeant Nunez and Detective Tomlin at Special Enforcement Bureau. The interview is summarized and included in **Exhibit A, pages 77-78.** See attached transcripts.

On March 23, 2015, at 1456 hours and March 24, 2015 at 1651 hours, Deputy Mayberry was interviewed by IAB Sergeant Hamil. He was advised of his right to representation but declined. The following is a summary of his interview. See the attached verbatim transcripts.

Deputy Mayberry responded to [redacted] Fairview Avenue regarding a hostage situation. He said he arrived and heard a gunshot coming from the location, so he grabbed his gear and staged in apartment [redacted], waiting for the team to arrive. He said he assisted with some of the apartment evacuations while additional SEB teams evacuated the other apartments from the rear of the complex.

He stated they staged in apartment [redacted]. They were at the location for over three hours trying to establish communication with the suspect.

Deputy Mayberry said he was shoulder to shoulder with Deputy Creamer at the landing leading to apartment [redacted]. They could not see the door but were getting updates from the deputies monitoring the video from the robot. They heard the door of the apartment door was opening but the suspect was hiding behind the door as shown by the robot video. Deputy Creamer leaned out to get a visual on the door, (Cutting the Pie). He said he (Deputy Creamer) and the suspect exchange of gunfire. He could not see the suspect from where he was standing, but the suspect retreated into the apartment. Deputy Mayberry said Deputy Creamer leaned further out and was able to get a visual on the door.

Deputy Mayberry saw the suspect hiding behind the door, crouched with a gun in his hand. Deputy Mayberry moved forward into the hallway to see the front door. Deputy Mayberry said it looked like the suspect was looking for a target. He engaged the suspect with two to three rounds and thought Deputy Creamer shot also. This caused the suspect to retreat into the apartment. Deputy Mayberry stated they were told the

suspect was exiting the apartment and running toward them firing his weapon. Deputy Mayberry said Deputy Creamer engaged the suspect first, and he was able to fire seven to eight more rounds into the suspect as he ran in front of them. He said the suspect was facing him and still firing. He estimated the distance at approximately five to seven feet. He could see the suspect taking rounds, but he continued to move and was able to still shoot.

Deputy Mayberry said he was able to get a good shooting platform and pick up his optic sight and concentrate on a head shot. He said he needed to end this immediately so he took a head shot.

Deputy Mayberry stated the suspect went to the ground and he was moved out of position and did not see the final shots while the suspect was on the ground. He said after the suspect was down, he assisted with clearing the apartments. He saw no contagious fire, or cover fire. All of his shots were target specific including the head shots.

IAB Note: Deputy Mayberry was shown multiple photographs of the crime scene during his interview. The Photographs will be included in the IAB case book as **Exhibit J**.

DEPARTMENT WITNESSES:

Deputy [redacted]

On April 30, 2013, Deputy [redacted] was interviewed (audio-taped) by Homicide Bureau Sergeant Nunez, Detective Tomlin and Sergeant Hamil from IAB at East Los Angeles Station. The interview is summarized and included in **Exhibit A, page 73.** See Job number **45065**.

Deputy [redacted] said he was working with Deputy Rodriguez as Unit 21PM. They were the second radio car in the pursuit. When the pursuit ended on Progress Place, he saw the suspect run from the vehicle. The suspect made it past the chain link fence where he lost sight of him. He said he was to the right of Deputy Rodriguez and heard Rodriguez yell "He has a gun." He heard gunshots from his side and front. He did not see who shot but knew it was the deputies. He never saw the suspect; he then took up a containment spot.

Deputy Ponce

On April 30, 2013, Deputy Ponce was interviewed (audio-taped) by Homicide Bureau Sergeant Nunez, Detective Tomlin and Sergeant Hamil from IAB at East Los Angeles Station. The interview is summarized and included in **Exhibit A, page 72.** See Job number **45073.**

Deputy Ponce said he and Deputy Munoz were working Unit 24PM and was the lead radio car in the pursuit. They maintained the lead position until the termination of the pursuit; directly behind the suspect. He saw the suspect run west, and both he and Deputy Munoz gave commands for the suspect to stop. Deputy Ponce saw the suspect on the west side of the chain link fence and was slightly ahead of Deputy Munoz when he heard two to three gunshots coming from slightly behind him. He believed it was Deputy Munoz. He did not see the shooting or who had shot. He heard Air 22 advise that the suspect was hiding in some bushes and the suspect could see the deputies, so he and Deputy Munoz backed away, and took cover behind some vehicles. He then took a containment position.

Deputy Sanchez

On April 30, 2013, Deputy Sanchez was interviewed (audio-taped) by Homicide Bureau Sergeant Nunez, Detective Tomlin and Sergeant Hamil from IAB at East Los Angeles Station. The interview is summarized and included in **Exhibit A, pages 71-72.** See Job number **45071.**

Deputy Sanchez said she was the fourth car in the pursuit. When the suspect vehicle stopped on Progress Place, she saw the suspect run west. She lost sight of him when he ran into some bushes and then heard three to four gunshots coming from a group of deputies. She did not see who shot.

Sergeant Jose Gonzalez

On April 30, 2013, Sergeant Gonzalez was interviewed (audio-taped) by Homicide Bureau Sergeant Nunez, Detective Tomlin and Sergeant Hamil from IAB at East Los Angeles Station. The interview is summarized and included in **Exhibit A, pages 75-76.** See Job number **45079.**

Sergeant Gonzalez said he was working unit 20S when he heard Unit 24PM following the carjacking vehicle. He responded to the pursuit but turned in the wrong direction. When he caught up to the pursuit he was the fourth car. When he turned onto Progress Place, the suspect had run from the vehicle. He ran to where the deputies were and saw Deputy Munoz fire two rounds in a west direction.

He did not see the suspect prior to, or during the shooting. After the shots were fired the deputies took cover and set up a containment. It was sometime later he learned that Deputy Rodriguez had also shot at the Suspect.

Deputy Steve Pratt

On April 30, 2013, at 1255 hours, Deputy Pratt was interviewed (audio-taped) by Homicide Bureau Detectives Martinez and Acevedo along with IAB Sergeants Ingreso and Sosa at the Special Enforcement Bureau. The interview is summarized and included in **Exhibit B, pages 12-13.** See attached transcripts.

Deputy Pratt stated he was monitoring the video from the robot which was placed in front of apartment [redacted], from apartment [redacted]. After the announcements failed to have the suspect surrender, gas was introduced into the apartment. After several seconds he saw on the video camera the suspect open the apartment door. The suspect took several steps outside of the apartment where he saw an object in the suspect's hand. The suspect went from standing to a prone position with his right hand hidden behind the door.

Deputy Pratt said after a few moments the suspect stood and pointed a gun at the deputies. He heard a volley of gun fire and saw the suspect re-enter the apartment and close the door. Deputy Pratt maneuvered the robot to the front door and opened the door.

Deputy Pratt saw the suspect inside the apartment immediately stand up and point the handgun at the deputies again. The suspect stepped over the robot and he lost visual. He heard another volley of shots and saw the suspect fall at the feet of the deputies. He did see a gun by the suspect's hand.

Deputy Schultz

On April 30, 2013, at 1315 hours, Deputy Schultz was interviewed (audio-taped) by Homicide Bureau Detectives Martinez and Acevedo along with IAB Sergeants Ingreso and Sosa at the Special Enforcement Bureau. The interview is summarized and included in **Exhibit B, pages 10-11.** See attached transcripts.

Deputy Schultz was monitoring the video from the robot when he saw the suspect inside of the apartment. The suspect moved from a standing to a prone position. He saw an object in the suspect's right hand, and saw two to five shots fired by the suspect.

He observed the suspect close the door and saw the robot push the door open. He saw from the video the suspect was on one knee, pointing a gun at the deputies. The suspect stood holding the handgun directly in front of him and ran towards the deputies. He saw the suspect shoot; Mayberry and Creamer then returned fire. He heard over his radio the suspect was down. (The robot does not record the video)

Sergeant Kamal Ahmad

On April 30, 2013, at 1722 hours, Sargent Kamal Ahmad [redacted] was interviewed (audio-taped) by Homicide Bureau Sergeant Nunez and Detective Tomlin at the Special Enforcement Bureau. The interview is summarized and included in **Exhibit A, pages 82-84.** See attached transcripts.

Sergeant Kamal was the team leader of the Black Team. He was involved in the planning and execution of the plan. He was positioned behind Deputies Creamer, Mayberry, Miranda and Galvez. He did not see any of the gun fire exchanged between the suspect and deputies. He did hear the radio traffic from the deputies monitoring the video camera. He said once the suspect was down, he assisted in securing the suspect and clearing of the apartments. Sergeant Kamal did not fire his weapon during the incident.

> **IAB Note:** All SEB personnel at the location were interviewed by Homicide Detectives and IAB Sergeants. They did not witness the shootings, however their tape recorded interviews are included in **Exhibit D** and summarized in **Exhibit B**.

CIVILIAN WITNESSES:

[redacted]

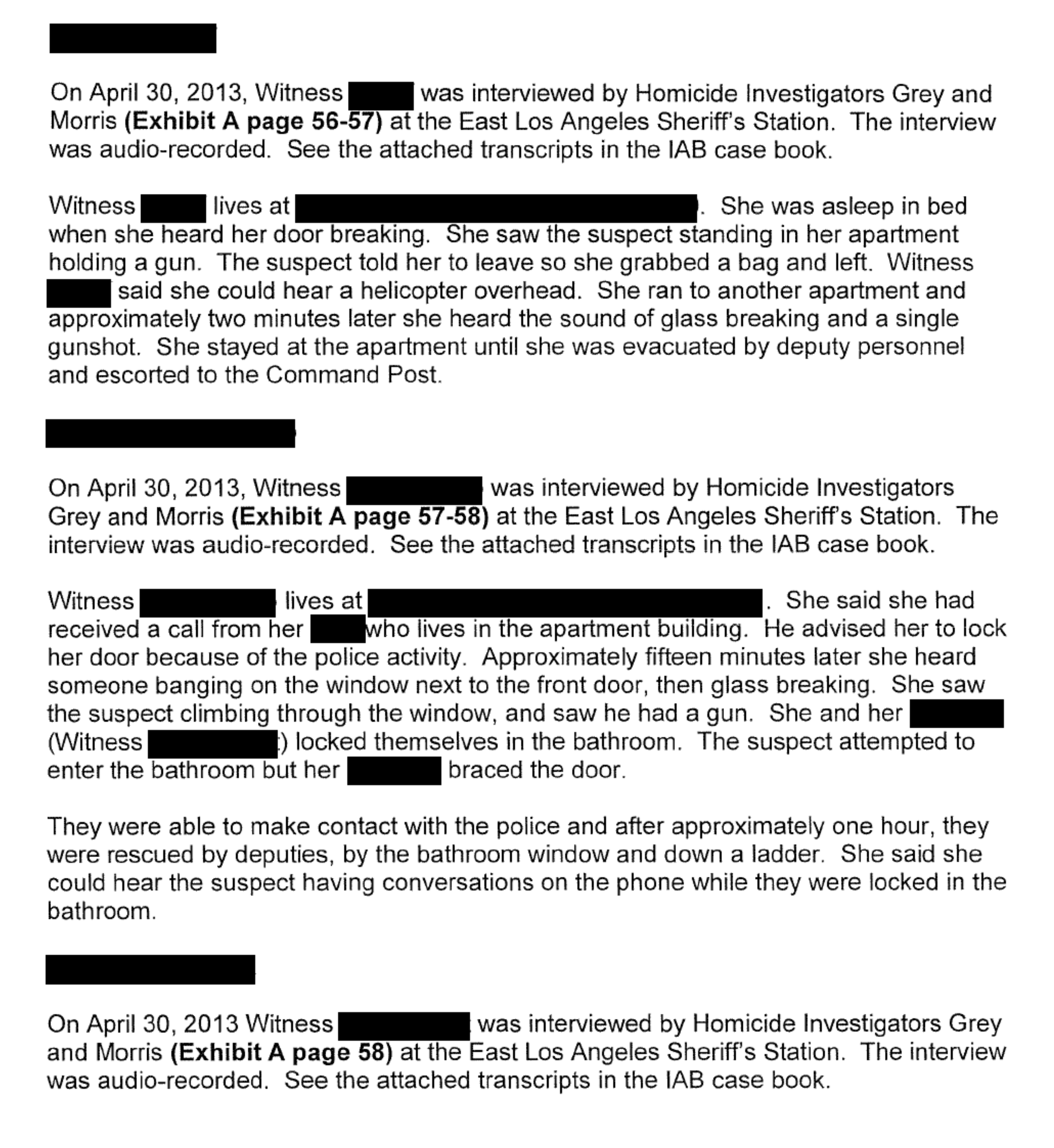
Witness [redacted] was the initial victim of the carjacking. He was not interviewed on audio tape; however his statement is included in **Exhibit A, Pages 1-5**.

Witness [redacted] said he went to retrieve a bag from his vehicle when the suspect approached him.
The suspect pressed a silver handgun against his ribs and demanded the car keys. Witness [redacted] complied and the suspect took the vehicle. He last saw his vehicle at 4th and Atlantic Avenue. He called 911 to report the incident.

INTERNAL AFFAIRS BUREAU

DEPUTY INVOLVED HIT SHOOTING

INVESTIGATIVE SUMMARY



[redacted]

On April 30, 2013, Witness [redacted] was interviewed by Homicide Investigators Grey and Morris **(Exhibit A page 56-57)** at the East Los Angeles Sheriff's Station. The interview was audio-recorded. See the attached transcripts in the IAB case book.

Witness [redacted] lives at [redacted]. She was asleep in bed when she heard her door breaking. She saw the suspect standing in her apartment holding a gun. The suspect told her to leave so she grabbed a bag and left. Witness [redacted] said she could hear a helicopter overhead. She ran to another apartment and approximately two minutes later she heard the sound of glass breaking and a single gunshot. She stayed at the apartment until she was evacuated by deputy personnel and escorted to the Command Post.

[redacted]

On April 30, 2013, Witness [redacted] was interviewed by Homicide Investigators Grey and Morris **(Exhibit A page 57-58)** at the East Los Angeles Sheriff's Station. The interview was audio-recorded. See the attached transcripts in the IAB case book.

Witness [redacted] lives at [redacted]. She said she had received a call from her [redacted] who lives in the apartment building. He advised her to lock her door because of the police activity. Approximately fifteen minutes later she heard someone banging on the window next to the front door, then glass breaking. She saw the suspect climbing through the window, and saw he had a gun. She and her [redacted] (Witness [redacted]) locked themselves in the bathroom. The suspect attempted to enter the bathroom but her [redacted] braced the door.

They were able to make contact with the police and after approximately one hour, they were rescued by deputies, by the bathroom window and down a ladder. She said she could hear the suspect having conversations on the phone while they were locked in the bathroom.

[redacted]

On April 30, 2013 Witness [redacted] was interviewed by Homicide Investigators Grey and Morris **(Exhibit A page 58)** at the East Los Angeles Sheriff's Station. The interview was audio-recorded. See the attached transcripts in the IAB case book.

He stated he heard a gunshot followed by the sound of glass breaking. He saw the suspect trying to gain entry into the apartment [redacted], and he attempted to block the window with a dresser. The suspect stuck a gun through the opening and he went to the bathroom and locked himself inside with his [redacted] He heard the suspect having a phone conversation while inside the bathroom. When the deputies evacuated them, he heard the suspect say, "Take these guys out and fucking come in and get me."

IAB Note: Nineteen residents of [redacted] were interviewed. A copy of their tape recorded interviews will be in **Exhibit D**. The interviews were summarized by Homicide and are included in **Exhibit A.**

[redacted]

On April 30, 2013, Witness [redacted] was interviewed by Homicide Investigators Nunez and Tomlin, **Exhibit A page 69,** at the East Los Angeles Sheriff's Station. The interview was audio-recorded. See the attached transcripts in the IAB case book.

Witness [redacted] is the [redacted] of the suspect. She stated she had received a call from the suspect and he told her that he was surrounded by the police, and he was armed. She stated he told her "I guess this is it. I guess it's all over with." She stated she had seen him with a silver revolver a few days before and told him to get rid of it.

[redacted]

On April 30, 2013, Witness [redacted] was interviewed by Homicide Investigators Nunez and Tomlin, **(Exhibit A page 71)** at the East Los Angeles Sheriff's Station. The interview was audio-recorded. See the attached transcripts in the IAB case book.

Witness [redacted] stated she received a call from the suspect and he told her the police were chasing him. He told her that he loved her, but he was going to go out "Loud," and that he was done. He told her to tell the rest of the family that he loved them.

[redacted]

On April 30, 2013, Witness [redacted] was interviewed by Homicide Investigators Nunez and Tomlin, **(Exhibit A page 70)** at the East Los Angeles Sheriff's Station. The interview was audio-recorded. See the attached transcripts in the IAB case book.

Witness [redacted] said she spoke to the suspect approximately 2100 hours. He told her he had been involved in a high speed chase and he was going to go all out. Witness [redacted] said she understood this to mean he was going to shoot it out with the police.

DISTRICT ATTORNEY OPINION

On May 28, 2014 the Los Angeles County District Attorney's Office issued their letter of opinion regarding this shooting incident advising that all deputies acted in lawful self-defense. A copy of the letter is included in the IAB case book, **Miscellaneous Documents**.



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

JACKIE LACEY • District Attorney
SHARON J. MATSUMOTO • Chief Deputy District Attorney
JOSEPH P. ESPOSITO • Assistant District Attorney

SCOTT K. GOODWIN • Director

May 28, 2014

Captain Duane Harris
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

RE: J.S.I.D. File No. 13-0308
L.A.S.D. File No. 013-05241-0286-013

Dear Captain Harris:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the April 29, 2013, fatal shooting of Eddie Ramirez by Los Angeles County Sheriff's Department (LASD) Deputies Rafael Munoz, Gregory Rodriguez, Thomas Mayberry, George Creamer, Gonzalo Galvez, and Charles Miranda. We have concluded the deputies acted lawfully in self-defense and defense of another.

The District Attorney's Command Center was notified of this incident at 4:12 a.m. on April 30, 2013. The District Attorney Response Team, comprised of Deputy District Attorney Natalie Adomian and District Attorney Senior Investigator Tanya Newton, responded to the scene. They were given a briefing of the circumstances surrounding the incident and a walk-through of the scene.

The following analysis is based upon our examination of the reports and photographs submitted to this office by Sergeant Luis Nunez and Detective Richard Tomlin from the Homicide Bureau of the Los Angeles County Sheriff's Department. Compelled statements were not considered as part of this analysis.

FACTUAL ANALYSIS

On April 29, 2013, at 10:20 p.m., [redacted]., exited his residence near Woods Avenue and 4th Street, in the City of Los Angeles, and walked to his father's Acura TL parked across the street. A male, later identified as Eddie Ramirez, approached [redacted]. Ramirez removed a handgun from his waistband, pressed it against [redacted] chest and told him to drop his keys on the ground. Ramirez entered the Acura and drove off. [redacted] called 9-1-1 and the crime was broadcasted to patrol units.

LASD Deputies Moises Ponce, driver, and his partner Rafael Munoz, were in a marked patrol vehicle and responded towards the location where Ramirez stole the Acura. On route, they observed Ramirez, driving the Acura, on Atlantic near the 60 freeway on-ramp. The deputies followed the vehicle and broadcasted their location. A few minutes later, Ramirez accelerated and Ponce and Munoz activated their lights and sirens. Ramirez failed to yield and a pursuit was initiated.

Additional LASD units and the LASD helicopter joined in the pursuit. Ramirez drove at high rates of speed against traffic and failed to yield at numerous stop signs. At the intersection of Cesar Chavez Avenue and Soto Street, Ramirez turned his vehicle into opposing traffic towards Deputy Carlos Lopez, who was driving his patrol vehicle towards the line of patrol cars to join the pursuit. Lopez immediately turned his vehicle into an adjacent parking lot to avoid a head-on collision. At Soto Street and Folsum Street, Ramirez drove towards Deputy Leopoldo Sanchez, who stopped his vehicle to retrieve spike strips from the trunk. Sanchez, believing Ramirez was going to collide into the front of his patrol vehicle, drove in reverse to avoid being struck by Ramirez.

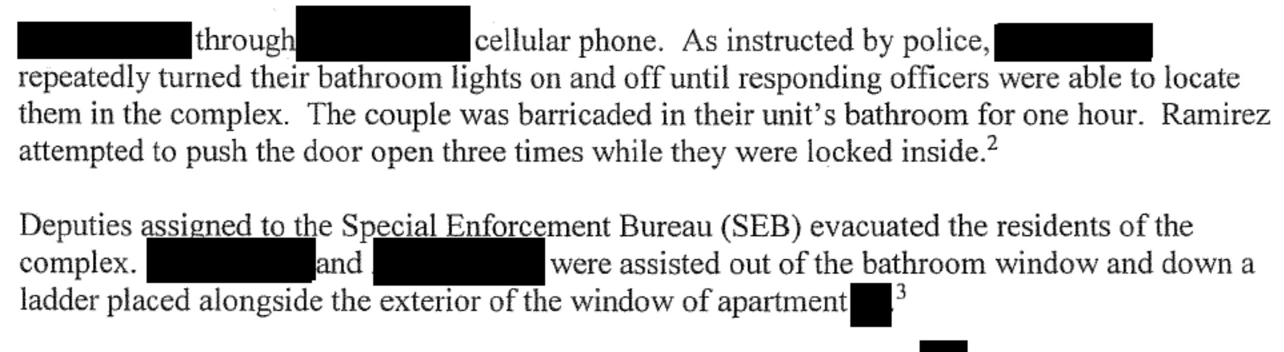
Ramirez turned on Progress Place. At the end of the cul-de-sac, Ramirez stopped the vehicle, exited and ran. Deputies in the pursuit also stopped and followed Ramirez on foot. Ponce and Munoz ordered Ramirez to get on the ground. Deputy Greg Rodriquez, positioned behind Ponce and Munoz during the pursuit, saw Ramirez running while holding a handgun in his right hand. Rodriquez yelled, "He has a gun!" Munoz and Rodriquez saw Ramirez turn towards them, lift his handgun and point it in their direction. Munoz fired his service weapon twice at Ramirez. Rodriquez fired his service weapon once at Ramirez. Ramirez continued running towards a fence adjoining a large apartment complex located at [redacted] Fairview Avenue.[1]

Deputies were advised by the LASD helicopter that Ramirez was hiding behind bushes on the slope and could possibly see the deputies. Concerned for their safety, deputies returned to their vehicles. Ramirez climbed over the fence and into the apartment complex property. Deputies set up a containment surrounding the building.

Ramirez ran to unit [redacted] located on the [redacted] He entered the apartment through a window. He held up his gun and threatened [redacted] the apartment unit's occupant, to, "Get out, get out." Fearing for her life, [redacted] grabbed her bag and ran out of her unit.

Ramirez then went to unit [redacted] located on the second floor of the complex. He broke the glass window next to the front door and started climbing through the window. Apartment unit occupant, [redacted] saw Ramirez coming through his unit's window and pushed a dresser against the window attempting to prevent Ramirez from entering. Ramirez pointed a handgun at [redacted]. In fear of being shot, he and his [redacted] ran to the bathroom and locked the door. They called their [redacted] in apartment unit [redacted] and requested he call the police. [redacted] made contact with deputies in the complex and informed them Ramirez was in unit [redacted]. Deputies communicated with [redacted] and

[1] There was no indication that Ramirez had been struck by bullets.



[redacted] through [redacted] cellular phone. As instructed by police, [redacted] repeatedly turned their bathroom lights on and off until responding officers were able to locate them in the complex. The couple was barricaded in their unit's bathroom for one hour. Ramirez attempted to push the door open three times while they were locked inside.[2]

Deputies assigned to the Special Enforcement Bureau (SEB) evacuated the residents of the complex. [redacted] and [redacted] were assisted out of the bathroom window and down a ladder placed alongside the exterior of the window of apartment [redacted][3]

A robot equipped with a camera was released to the front door of unit [redacted] to monitor Ramirez' movements. Ramirez was seen pushing items against the front door and window to barricade himself inside. Deputies used the public address system and ordered Ramirez to surrender. Ramirez did not comply. LASD crisis negotiators attempted to contact Ramirez but were unsuccessful. Deputies then deployed multiple canisters of tear gas into the apartment through the bathroom and living room windows. SEB Deputies Thomas Mayberry, George Creamer, Gonzalo Galvez, and Charles Miranda were positioned outside the apartment unit's front door area.

Camera monitors informed the deputies that Ramirez opened the front door and was exiting with something in his hand. Deputy Creamer saw the door open and Ramirez on his knees with his right hand behind the door jam. Ramirez brought out his handgun and Creamer fired his MP5 multiple times at Ramirez. Ramirez retreated into the apartment and attempted to shut the door. However, debris in the doorway prevented him from shutting it completely.

Ramirez partially opened the door a second time. He peeked out from behind the door and brought up his handgun. Mayberry and Creamer, believing Ramirez was going to shoot at them, fired their MP5's multiple times at Ramirez. Ramirez retreated into the apartment and closed the front door.

The camera monitor showed Ramirez coming quickly out the front door again while holding something in his hand. Ramirez ran out of the apartment towards the deputies, with his handgun extended, shooting at them. Deputies Mayberry, Miranda, Creamer and Galvez fired their MP5's at Ramirez multiple times.[4] Ramirez fell to the ground. Deputies called for medical assistance.

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[2] While inside the apartment, Ramirez called his [redacted] who lived nearby, and explained he was surrounded by police and in possession of a gun. He said, "[redacted] I guess this is it. I guess it's over with!" Ramirez told his [redacted] he was involved in a high speed vehicle pursuit, shot at police and, "was going all out…and was going to go all out!" He said he was not going to be coming home and she was never going to see him again. His [redacted] understood him to mean he was going to shoot at deputies.

[3] Until the couple was able to be removed from the window, a deputy climbed the ladder and stayed at the window with his firearm drawn and pointing at the bathroom door, in the event Ramirez gained entry into the bathroom.

[4] Ramirez went down but came up pointing his handgun at Creamer. Creamer ran out of ammunition in his MP5 and transitioned to his handgun. Ramirez fired again and Creamer continued to fire his handgun.

Paramedics responded to render aid. Ramirez was pronounced dead at the scene. Los Angeles County Department of Coroner Deputy Medical Examiner Cho Lwin opined Ramirez' death was due to multiple gunshot wounds. Blood tests revealed he had methamphetamine and PCP present in his system.

A stainless steel Smith & Wesson .357 Magnum caliber revolver was located near Ramirez' body. It contained five spent cartridges and one live round in the cylinder.

Ramirez was [redacted] He was a documented gang member from Primera Flats and recently released from prison.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense and defense of another if it reasonably appears to the person claiming the right to use such force that he actually and reasonably believed that he or another person was in imminent danger of great bodily injury or death. CALCRIM No. 3470.

"The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight." Graham v. Conner (1989) 490 U.S. 386, 396-397. This analysis must also allow for the fact that officers are often forced to make split-second judgments about the amount of force that is necessary in circumstances that are tense, uncertain, and rapidly evolving. Id.

Additionally, deadly force may be used by police officers when necessary to affect the arrest of a person who has committed a forcible and atrocious felony, which threatens death or serious bodily injury or there is a substantial risk that the person whose arrest is sought will cause death or serious bodily injury if apprehension is delayed. Tennessee v. Garner (1985) 471 U.S. 1, 16 fn. 15; Kortum v. Alkire (1977) 69 Cal. App. 3d 325, 333.

CONCLUSION

The evidence examined in this investigation shows that Eddie Ramirez threatened [redacted] with a gun and stole his vehicle. He then led deputies on a dangerous pursuit where Ramirez committed numerous Vehicle Code violations and attempted to collide head-on into patrol vehicles driven by Deputies Lopez and Sanchez. When Ramirez finally stopped his vehicle, he exited his vehicle and pointed his handgun at deputies. Deputies Munoz and Rodriquez, in reasonable fear for their lives, responded with deadly force. Ramirez then fled and entered an apartment complex. He forced his way into two separate units and threatened the units' occupants with his firearm. Despite the deputies' repeated efforts to have Ramirez surrender, he ran out of unit [redacted] advancing and firing his handgun at the deputies. Deputies Mayberry, Miranda, Creamer and Galvez, in reasonable fear for their lives and while attempting to arrest a dangerous fleeing felon, responded with deadly force.

We conclude that Deputies Rafael Munoz, Gregory Rodriguez, Thomas Mayberry, George Creamer, Gonzalo Galvez, and Charles Miranda acted in lawful self-defense and defense of one another when they used deadly force against Eddie Ramirez. Therefore, we are closing our file and will take no further action in this matter.

Very truly yours,

JACKIE LACEY
District Attorney

By

NATALIE ADOMIAN
Deputy District Attorney
(213) 974-3888

c: Rafael Munoz [redacted]
Gregory Rodriguez [redacted]
Thomas Mayberry [redacted]
George Creamer [redacted]
Gonzalo Galvez [redacted]
Charles Miranda [redacted]

761551N52A – SH-AD (11/90)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: May 26, 2015

FROM: STEPHEN B. JOHNSON, COMMANDER
CENTRAL PATROL DIVISION

TO: STEVE BIAGINI, CAPTAIN
EAST LOS ANGELES STATION

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS

Case Number:	SH2334307
Incident:	Hit Shooting
Incident Date:	April 29, 2013
Unit:	East Los Angeles Station
Suspect:	Ramirez, Eddie MH/08/18/78
Involved Employees:	Deputy Rafael Munoz #[redacted] Deputy Gregory Rodriguez #[redacted]
EFRC Date:	May 21, 2015

The Executive Force Review Committee (EFRC) consisting of Commanders Stephen B. Johnson, Patrick E. Maxwell, and Ralph J. Webb met and reviewed the above case.

FINDINGS:

The EFRC determined the use of deadly force and tactics were within Department policy.

RECOMMENDATIONS:

The EFRC recommended that the Unit Commander re-brief the deployment of spike strips and the inherent dangers.

SBJ:JRB:jrb

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: May 26, 2015

FROM: STEPHEN B. JOHNSON, COMMANDER
CENTRAL PATROL DIVISION

TO: JACK EWELL, CAPTAIN
SPECIAL ENFORCEMENT BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS

Case Number:	SH2334307
Incident:	Hit Shooting
Incident Date:	April 29, 2013
Unit:	Special Enforcement Bureau
Suspect:	Ramirez, Eddie MH/08/18/78
Involved Employees:	Deputy George Creamer #[redacted] Deputy Gonzalo Galvez #[redacted] Deputy Charles Miranda #[redacted] Deputy Thomas Mayberry #[redacted]
EFRC Date:	May 21, 2015

The Executive Force Review Committee (EFRC) consisting of Commanders Stephen B. Johnson, Patrick E. Maxwell, and Ralph J. Webb met and reviewed the above case.

FINDINGS:

The EFRC determined the use of deadly force and tactics were within Department policy.

RECOMMENDATIONS:

The EFRC made no recommendations.

SBJ:JRB:jrb